

THIRTEENTH DAY

(Monday, February 19, 1934)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holland.
Adamson.	Hoskins.
Aikin.	Huddleston.
Alsup.	Hughes.
Anderson.	Hunt.
Atchison.	Hunter.
Baker.	Hyder.
Barrett.	Jackson.
Barron.	James.
Beck.	Jefferson.
Bergman.	Johnson
Bourne.	of Anderson.
Bradley.	Jones of Runnels.
Burns.	Jones of Shelby.
Butler.	Kayton.
Calvert.	Kyle of Hays.
Camp.	Kyle of Palo Pinto.
Canon.	Laird.
Cathey.	Lange.
Caven.	Latham.
Celaya.	Lemens.
Chastain.	Lindsey.
Clayton.	Long.
Colson.	Lotief.
Coombes.	Mackay.
Cowley.	Magee.
Crossley.	Mathis.
Daniel.	McCullough.
Davidson.	McGregor.
Dean.	McKee.
Devall.	Merritt.
Dunlap.	Metcalf.
Dunagan.	Mitcham.
Duvall.	Moffett.
Dwyer.	Moore.
Engelhard.	Morrison.
Fair.	Morse.
Fisher.	Munson.
Ford.	Nicholson.
Fuchs.	Parkhouse.
Glass.	Patterson.
Golson.	Pavlica.
Good.	Pope.
Goodman.	Puryear.
Graves.	Ramsey.
Greathouse.	Ratliff.
Griffith.	Ray.
Hankamer.	Reader.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Riddle.
Hester.	Roark.
Hicks.	Roberts.
Hill.	Rogers of Hunt.
Hodges.	Rogers
Holekamp.	of Ochiltree.

Rollins.	Tennyson.
Russell.	Thomas.
Savage.	Tillery.
Scarborough.	Townsend.
Shannon.	Turlington.
Shults.	Van Zandt.
Smith.	Vaughan.
Stanfield.	Wagstaff.
Steward.	Walker.
Stinson.	Wells.
Stovall.	Winningham.
Stubbeman.	Wood.
Tarwater.	Young.

Absent

Harrison.	McDougald.
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Absent—Excused

Alexander.	Jones of Atascosa.
Bedford.	Leonard.
Holloway.	Palmer.
Johnson	Scott.
of Dimmit.	Weinert.

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Leonard for today, on motion of Mr. Glass.

Mr. Savage for today, on motion of Mr. Shannon.

Mr. Smith for today, on motion of Mr. Thomas.

Mr. Scott for today, on motion of Mr. Merritt.

The following members were granted leaves of absence on account of illness:

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. Jones of Atascosa for today, on motion of Mr. Townsend.

Mr. Palmer for today and tomorrow, on account of the death of his mother, on motion of Mr. Steward.

Mr. Weinert for today and the balance of the week, on motion of Mr. Baker.

Mr. Bedford for today and tomorrow, on motion of Mr. Tennyson.

Mr. Alexander for today, on account of the illness of his wife, on motion of Mr. Moffett.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and

referred to the appropriate committees, as follows:

By Mr. Butler and Mr. Townsend:

H. B. No. 137, A bill to be entitled "An Act amending Section 3, of Chapter 215, page 719, General Laws of Texas, Forty-third Legislature of Texas, 1933, providing a basis for salaries for services in summer schools at certain State-supported institutions of higher learning and repealing certain provisions for the collection of certain matriculation and tuition fees from students of summer schools in certain State-supported institutions of higher learning, and declaring an emergency."

Referred to Committee on Education.

By Mr. Hyder:

H. B. No. 138, A bill to be entitled "An Act repealing all of Section 6-a, of House Bill No. 11, Chapter 214, Acts, Regular Session, Forty-third Legislature, page 637, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Holland:

H. B. No. 139, A bill to be entitled "An Act for the purpose of releasing penalties and interest accrued or that may accrue on all franchise taxes that may be due or to become due under the provisions of Articles 7089 and 7091, Revised Civil Statutes of 1925, for the years 1928 to 1933, inclusive, and to release any penalties or interest accrued or that may accrue for failure to file reports for said years under Article 7089, provided that said franchise taxes are paid and reports filed on or before six (6) months after the effective date of this act; etc."

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 124 ON THIRD READING

(By Unanimous Consent)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 124, A bill to be entitled "An Act to amend Chapter 105, of the Special Laws passed by the Thirty-third Legislature, at its Regular Session in 1913, same being a special road law for Jackson County, Texas, by adding thereto Sections 4-a, 4-b, and 4-c, creating Road Dis-

trict No. 7, Jackson County, Texas, defining and specifically setting out its boundaries; etc."

The bill was read third time, and was passed by the following vote:

Yeas—101

Adamson.	Lindsey.
Aikin.	Long.
Alsup.	Lotief.
Atchison.	Mackay.
Baker.	Magee.
Barrett.	McCullough.
Barron.	McGregor.
Beck.	McKee.
Bourne.	Merritt.
Burns.	Metcalfe.
Butler.	Mitcham.
Calvert.	Moffett.
Camp.	Moore.
Canon.	Morrison.
Celaya.	Morse.
Clayton.	Munson.
Colson.	Parkhouse.
Coombes.	Patterson.
Cowley.	Pavlica.
Crossley.	Pope.
Daniel.	Puryear.
Davidson.	Ramsey.
Dean.	Ratliff.
Dwyer.	Ray.
Fain.	Reed of Bowie.
Fisher.	Reed of Dallas.
Ford.	Roark.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Greathouse.	Rollins.
Hankamer.	Russell.
Harris.	Scarborough.
Head.	Shannon.
Hicks.	Shults.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Hughes.	Stubbeman.
Hunt.	Tarwater.
Hunter.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jefferson.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Kayton.	Wells.
Kyle of Palo Pinto.	Winningham.
Laird.	Wood.
Lemens.	

Absent

Anderson.	Devall.
Bergman.	Dunlap.
Bradley.	Dunagan.
Cathey.	Duvall.
Caven.	Engelhard.
Chastain.	Fuchs.

Graves.	Latham.
Griffith.	Mathis.
Harman.	McDougald.
Harrison.	Nicholson.
Hartzog.	Reader.
Hester.	Renfro.
Hill.	Riddle.
Hoskins.	Smith.
Huddleston.	Stanfield.
Jones of Runnels.	Turlington.
Jones of Shelby.	Van Zandt.
Kyle of Hays.	Young.
Lange.	

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Savage.
Johnson	Scott.
of Dimmit.	Weinert.
Jones of Atascosa.	

HOUSE BILL NO. 79 ON THIRD
READING

(By Unanimous Consent)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 79, A bill to be entitled "An Act amending Section 3, of Chapter 67, Acts of the First Called Session of the Forty-third Legislature, same being Senate Bill No. 52, so as to provide the method of prorating funds provided in said chapter; fixing date for filing claims under said appropriation; providing that claims arising thereunder shall not be negotiable or assignable; providing that no commissions or fees shall be paid for presenting and/or prosecuting said claims, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—102

Adamson.	Clayton.
Aikin.	Colson.
Alsup.	Coombes.
Atchison.	Cowley.
Baker.	Crossley.
Barrett.	Daniel.
Barron.	Davidson.
Beck.	Dean.
Bergman.	Dwyer.
Bourne.	Engelhard.
Burns.	Fain.
Butler.	Fisher.
Calvert.	Ford.
Camp.	Glass.
Canon.	Golson.
Celaya.	Good.
Chastain.	Goodman.

Greathouse.	Moore.
Hankamer.	Morrison.
Harris.	Morse.
Head.	Munson.
Hodges.	Parkhouse.
Holekamp.	Patterson.
Holland.	Pavlica.
Hughes.	Pope.
Hunt.	Puryear.
Hunter.	Ramsey.
Hyder.	Ratliff.
Jackson.	Ray.
James.	Reed of Bowie.
Jefferson.	Reed of Dallas.
Johnson	Roberts.
of Anderson.	Rogers
Jones of Runnels.	of Ochiltree.
Jones of Shelby.	Rollins.
Kayton.	Scarborough.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Shults.
Laird.	Steward.
Latham.	Stinson.
Lemens.	Stovall.
Lindsey.	Stubbeman.
Long.	Tarwater.
Lotief.	Tennyson.
Mackay.	Thomas.
Magee.	Townsend.
McCullough.	Wagstaff.
McKee.	Walker.
Merritt.	Wells.
Metcalf.	Winningham.
Mitcham.	Wood.
Moffett.	Young.

Nays—3

Vaughan.

Absent

Roark.	
Tillery.	
Anderson.	Hoskins.
Bradley.	Huddleston.
Cathey.	Lange.
Caven.	Mathis.
Devall.	McDougald.
Dunlap.	McGregor.
Dunagan.	Nicholson.
Duvall.	Reader.
Fuchs.	Renfro.
Graves.	Riddle.
Griffith.	Rogers of Hunt.
Harman.	Russell.
Harrison.	Smith.
Hartzog.	Stanfield.
Hester.	Turlington.
Hicks.	Van Zandt.
Hill.	

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Savage.
Johnson	Scott.
of Dimmit.	Weinert.
Jones of Atascosa.	

HOUSE BILL NO. 34 ON THIRD
READING

(By Unanimous Consent)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 34, A bill to be entitled "An Act granting permission to Mrs. Ola Anderson and Oran Anderson, surviving wife and son of Henry A. Anderson, deceased, to bring suit against the State of Texas in the District Court of Denton County, Texas, for damages for personal injuries resulting in death received by the said Henry A. Anderson while on duty as a laborer in the employ of the North Texas State Teachers College, at Denton, Texas; etc."

The bill was read third time, and was passed by the following vote:

Yeas—106

Aikin.	Huddleston.
Alsup.	Hughes.
Atchison.	Hunt.
Baker.	Hunter.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bergman.	Jefferson.
Bourne.	Johnson
Bradley.	of Anderson.
Burns.	Jones of Runnels.
Butler.	Kyle of Hays.
Calvert.	Kyle of Palo Pinto.
Camp.	Laird.
Canon.	Latham.
Chastain.	Lemens.
Clayton.	Lindsey.
Coombes.	Long.
Cowley.	Lotief.
Crossley.	Mackay.
Daniel.	Magee.
Davidson.	McCullough.
Dean.	McGregor.
Dunagan.	Merritt.
Dwyer.	Metcalfe.
Fain.	Mitcham.
Fisher.	Moffett.
Ford.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Pavlica.
Harris.	Pope.
Head.	Puryear.
Hill.	Ramsey.
Hodges.	Ratliff.
Holekamp.	Ray.
Holland.	Reed of Bowie.
Hoskins.	Reed of Dallas.

Roark.	Stinson.
Roberts.	Stubbeman.
Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Tillery.
Russell.	Townsend.
Scarborough.	Wagstaff.
Shannon.	Walker.
Shults.	Wells.
Smith.	Winningham.
Stanfield.	Wood.
Steward.	Young.

Nays—3

Vaughan.

Absent

Anderson.	Hicks.
Cathey.	Jones of Shelby.
Caven.	Kayton.
Celaya.	Lange.
Colson.	Mathis.
Devall.	McDougald.
Dunlap.	McKee.
Duvall.	Reader.
Engelhard.	Renfro.
Fuchs.	Riddle.
Graves.	Rogers of Hunt.
Harman.	Thomas.
Harrison.	Turlington.
Hartzog.	Van Zandt.
Hester.	

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Savage.
Johnson	Scott.
of Dimmit.	Weinert.
Jones of Atascosa.	

HOUSE BILL NO. 99 ON THIRD
READING

(By Unanimous Consent)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 99, A bill to be entitled "An Act amending Section 5, of Chapter 26, Acts Forty-second Legislature, First Called Session, providing for the control of refineries, requiring reports of same, authorizing the Railroad Commission agents to inspect refinery properties; requiring such refineries to equip their pipe lines with meters and report measurements of same, and declaring an emergency."

The bill was read third time.

Mr. Scarborough moved that the bill be recommitted to the Committee on Oil, Gas, and Mining.

Mr. Long moved to table the motion to recommit the bill.

The motion to table prevailed by the following vote:

Yeas—58

Adamson.	Merritt.
Aikin.	Metcalfe.
Alsup.	Mitcham.
Atchison.	Moffett.
Bourne.	Moore.
Bradley.	Morrison.
Calvert.	Morse.
Chastain.	Munson.
Clayton.	Nicholson.
Dean.	Pavlica.
Devall.	Ratliff.
Fain.	Ray.
Golson.	Roark.
Goodman.	Rollins.
Graves.	Shults.
Hankamer.	Smith.
Harris.	Steward.
Hicks.	Stovall.
Holekamp.	Stubbeman.
Holland.	Tarwater.
Hughes.	Tennyson.
Hyder.	Turlington.
Jackson.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Kyle of Palo Pinto.	Walker.
Lange.	Wells.
Lemens.	Winningham.
Long.	Wood.
McKee.	

Nays—53

Baker.	Jones of Runnels.
Barrett.	Jones of Shelby.
Bergman.	Kayton.
Butler.	Kyle of Hays.
Camp.	Latham.
Canon.	Lindsey.
Cathey.	Lotief.
Colson.	Mackay.
Coombes.	Magee.
Crossley.	McCullough.
Daniel.	Parkhouse.
Davidson.	Pope.
Dunagan.	Puryear.
Duvall.	Reed of Bowie.
Fisher.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Roberts.
Good.	Rogers.
Greathouse.	of Ochiltree.
Griffith.	Russell.
Head.	Scarborough.
Hill.	Shannon.
Hodges.	Stanfield.
Hoskins.	Stinson.
Hunter.	Thomas.
James.	Townsend.
Jefferson.	Young.

Absent

Anderson.	Beck.
Barron.	Burns.

Caven.	Huddleston.
Celaya.	Hunt.
Cowley.	Laird.
Dunlap.	Mathis.
Dwyer.	McDougald.
Engelhard.	McGregor.
Ford.	Patterson.
Harman.	Reader.
Harrison.	Riddle.
Hartzog.	Rogers of Hunt.
Hester.	Tillery.

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Ramsey.
Johnson	Savage.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

Mr. Daniel offered the following amendment to the bill:

Amend House Bill No. 99 by striking out the word "any" in line 6 of Section 5, and inserting in lieu thereof "every," and striking out "may," in line 13 of Section 5, and inserting in lieu thereof "shall."

DANIEL,
CAMP.

The amendment was adopted.

House Bill No. 99 was passed by the following vote:

Yeas—91

Adamson.	Hicks.
Aikin.	Hill.
Alsup.	Hodges.
Atchison.	Holekamp.
Barrett.	Hughes.
Beck.	Hunt.
Bourne.	Hyder.
Bradley.	Jackson.
Calvert.	James.
Canon.	Jefferson.
Chastain.	Johnson
Clayton.	of Anderson.
Colson.	Jones of Runnels.
Crossley.	Kyle of Palo Pinto.
Daniel.	Laird.
Davidson.	Lange.
Dean.	Latham.
Devall.	Lemens.
Dunagan.	Lindsey.
Duvall.	Long.
Engelhard.	Lotief.
Fain.	Mackay.
Fisher.	Magee.
Fuchs.	Mathis.
Glass.	McCullough.
Golson.	McGregor.
Goodman.	McKee.
Graves.	Merritt.
Hankamer.	Metcalfe.
Harris.	Mitcham.
Hartzog.	Moffett.

Moore.	Stinson.
Morrison.	Stovall.
Morse.	Stubbeman.
Munson.	Tarwater.
Nicholson.	Tennyson.
Patterson.	Thomas.
Ratliff.	Tillery.
Ray.	Turlington.
Reed of Bowie.	Van Zandt.
Roark.	Vaughan.
Rogers	Wagstaff.
of Ochiltree.	Walker.
Rollins.	Wells.
Shults.	Winningham.
Smith.	Wood.
Steward.	

Nays—25

Baker.	Kyle of Hays.
Barron.	Parkhouse.
Bergman.	Pavlica.
Camp.	Puryear.
Cathey.	Reed of Dallas.
Coombes.	Renfro.
Good.	Riddle.
Greathouse.	Roberts.
Griffith.	Scarborough.
Head.	Shannon.
Hoskins.	Townsend.
Hunter.	Young.
Jones of Shelby.	

Absent

Anderson.	Hester.
Burns.	Holland.
Butler.	Huddleston.
Caven.	Kayton.
Celaya.	McDougald.
Cowley.	Pope.
Dunlap.	Reader.
Dwyer.	Rogers of Hunt.
Ford.	Russell.
Harman.	Stanfield.
Harrison.	

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Ramsey.
Johnson	Savage.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 19, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed

H. B. No. 31, A bill to be entitled
"An Act amending Chapter 90, Acts
of the First Called Session of the
Forty-third Legislature, 1933, by add-

ing to Section 1, thereof, a new sub-
division defining the term 'Counterfeit
Stamp,' as used in said Act; and fur-
ther amending said chapter by amend-
ing Section 11, thereof, redefining the
offense prohibited therein, and pre-
scribing the penalty for a violation
thereof; and further amending said
chapter by adding new sections there-
to; etc., and declaring an emergency."

S. B. No. 12, A bill to be entitled
"An Act to amend Article 3264, Re-
vised Civil Statutes of 1925, by au-
thorizing irrigation districts, water
improvement districts and water
power control districts to condemn
land under the general condemnation
statutes; amending Article 3268, Re-
vised Civil Statutes of 1925 as
amended by Chapter 37, General Laws,
Fourth Called Session, Forty-first
Legislature, by authorizing irrigation
districts, water improvement districts
and water power control districts to
take possession of the property sought
to be condemned pending litigation
after the award of the commissioners
without first depositing bond or sum
of money; providing that if any por-
tion of this Act be held unconstitu-
tional same shall not affect the re-
maining portions; and declaring an
emergency."

S. B. No. 13, A bill to be entitled
"An Act to amend Section 17 of Chap-
ter 211 of the General Laws, passed
by the Forty-third Legislature, at the
Regular Session, so as to provide that
the counties affected thereby shall be
granted reimbursement for high
school tuition and transportation, and
declaring an emergency."

S. B. No. 14, A bill to be entitled
"An Act granting to the Houston
Yacht Club, its successors and as-
signs, all right, title, and interest of
the State of Texas to certain land
under the waters of Galveston Bay,
described as follows: Beginning at
the northeast corner of that certain
tract of land in Harris County, Texas,
lying on the waters of Galveston Bay,
described in deed from Shoreacres,
Inc., to San Jacinto Bay Corporation,
dated March 23, 1927, recorded in
Volume 697, page 460, Deed Records
of Harris County, Texas; thence in a
southeasterly direction along the
waters of Galveston Bay and follow-
ing the southeasterly line of said
tract conveyed to San Jacinto Bay
Corporation, and declaring an emer-
gency."

S. B. No. 31, A bill to be entitled "An Act to authorize and empower any water control and improvement district in this State, to borrow money, and to receive grants or other aid from the Government or any lending agency thereof; and declaring an emergency."

S. B. No. 37, A bill to be entitled "An Act to permit any county one or more of the boundaries of which is coincident with any part of the International Boundary between the United States and Mexico, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 96 ON THIRD READING

(By Unanimous Consent)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 96, A bill to be entitled "An Act to amend Section 9, of Article 1112-b, of the Penal Code of the State of Texas, being Section 9 of an Act of the Forty-third Legislature, passed at its Regular Session, Chapter 165, page 422, by providing for punishment by fine not exceeding five hundred dollars (\$500), etc.; making the president of any corporation the chief managing executive of each association, and the active members of each firm and partnership and the trustees of each trust criminally responsible for the failure to comply with the terms of said Act, or for the violation of any of the terms or provisions thereof, or any rule or order duly adopted and promulgated by the said governmental agency under the terms of said Act; declaring it to be the legislative intent to enact each separate provision independent of the other provisions, and if any clause, sentence, or part of said Act shall be declared unconstitutional, the same shall not affect any other clause, sentence, or part of same, and declaring an emergency."

The bill was read third time.

Mr. Metcalfe offered the following amendment to the bill:

Amend House Bill No. 96, line 1, page 2 of the engrossed bill, by striking out of said line the word "all," and insert in lieu thereof the word "shall."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 96 was passed by the following vote:

Yeas—92

Adamson.	Lotief.
Aikin.	Mackay.
Alsup.	Magee.
Anderson.	Mathis.
Atchison.	McCullough.
Baker.	Metcalfe.
Barron.	Mitcham.
Beck.	Moffett.
Bourne.	Moore.
Burns.	Morrison.
Butler.	Morse.
Calvert.	Munson.
Canon.	Nicholson.
Chastain.	Parkhouse.
Colson.	Patterson.
Cowley.	Pavlica.
Crossley.	Pope.
Daniel.	Puryear.
Dean.	Ratliff.
Devall.	Ray.
Dunagan.	Reed of Bowie.
Dwyer.	Renfro.
Engelhard.	Roark.
Fain.	Rogers
Fisher.	of Ochiltree.
Golson.	Rollins.
Griffith.	Russell.
Harris.	Shults.
Hartzog.	Smith.
Head.	Stanfield.
Hicks.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hunter.	Thomas.
Hyder.	Tillery.
Jefferson.	Townsend.
Jones of Runnels.	Turlington.
Kayton.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Lange.	Wells.
Latham.	Winningham.
Lemens.	Wood.
Lindsey.	Young.
Long.	

Nays—20

Barrett.	Hoskins.
Camp.	Huddleston.
Cathey.	James.
Clayton.	Jones of Shelby.
Coombes.	Kyle of Hays.
Ford.	Merritt.
Glass.	Reed of Dallas.
Good.	Roberts.
Goodman.	Shannon.
Hankamer.	Stubbeman.

Absent

Bergman.	Hill.
Bradley.	Holland.
Caven.	Jackson.
Celaya.	Johnson
Davidson.	of Anderson.
Dunlap.	McDougald.
Duvall.	McGregor.
Fuchs.	McKee.
Graves.	Reader.
Greathouse.	Riddle.
Harman.	Rogers of Hunt.
Harrison.	Scarborough.
Hester.	Walker.

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Ramsey.
Johnson	Savage.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

HOUSE BILL NO. 106 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 106, A bill to be entitled "An Act prohibiting fishing in Lake Brownwood, in Brown County, until May 15, 1935; prohibiting fishing at any time except during the open season provided in this Act; fixing the open season after May 15, 1935, from May 15 to February 1; prohibiting the possession of any fishing tackle or fishing device on the waters of Lake Brownwood at any time except during the open season; fixing a penalty for violation of this Act; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—103

Adamson.	Chastain.
Aikin.	Clayton.
Alsup.	Colson.
Anderson.	Coombes.
Atchison.	Cowley.
Baker.	Crossley.
Barrett.	Daniel.
Barron.	Davidson.
Beck.	Dean.
Bergman.	Devall.
Bourne.	Dunagan.
Burns.	Duvall.
Butler.	Dwyer.
Camp.	Engelhard.
Canon.	Fain.
Cathey.	Fisher.

Ford.	Munson.
Glass.	Parkhouse.
Good.	Patterson.
Goodman.	Pavlica.
Griffith.	Pope.
Hankamer.	Puryear.
Harris.	Ratliff.
Hartzog.	Reed of Bowie.
Head.	Reed of Dallas.
Hill.	Renfro.
Hodges.	Roark.
Holekamp.	Roberts.
Hoskins.	Rollins.
Huddleston.	Russell.
Hughes.	Scarborough.
Hunter.	Shannon.
Hyder.	Shults.
James.	Smith.
Jones of Runnels.	Stanfield.
Jones of Shelby.	Steward.
Kyle of Hays.	Stinson.
Kyle of Palo Pinto.	Stovall.
Laird.	Stubbeman.
Latham.	Tarwater.
Lemens.	Tennyson.
Lindsey.	Thomas.
Mackay.	Tillery.
Magee.	Townsend.
Mathis.	Turlington.
McCullough.	Vaughan.
Merritt.	Wagstaff.
Metcalfe.	Walker.
Mitcham.	Wells.
Moffett.	Winningham.
Moore.	Wood.
Morrison.	

Absent

Bradley.	Kayton.
Calvert.	Lange.
Caven.	Long.
Celaya.	Lotief.
Dunlap.	McDougald.
Fuchs.	McGregor.
Golson.	McKee.
Graves.	Morse.
Greathouse.	Nicholson.
Harman.	Ray.
Harrison.	Reader.
Hester.	Riddle.
Hicks.	Rogers of Hunt.
Holland.	Rogers
Hunt.	of Ochiltree.
Jackson.	Van Zandt.
Jefferson.	Young.
Johnson	
of Anderson.	

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Ramsey.
Johnson	Savage.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

HOUSE BILL NO. 115 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 115, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any wild quail of any species, for a period of five (5) years, in Midland County, Texas; fixing penalty, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 28 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on passage to engrossment,

H. B. No. 28, A bill to be entitled "An Act amending Sections 1, 2, 4, 5, 6, 8, 9, and 12, of Chapter 241, Acts of the Regular Session, Forty-third Legislature, page 845, and further amending Chapter 241, Acts Regular Session, Forty-third Legislature, page 843, by adding a new Section to said Act, to be designated and styled as Section 17-b, which new Section vests and empowers the Commissioner of Labor with the power to promulgate all necessary rules; etc.;" The bill having heretofore been read second time.

Mr. Vaughan offered the following amendment to the bill:

Amend House Bill No. 28, page 6, lines 31 and 32, by changing the tax from "3 per centum" to "10 per centum."

VAUGHAN,
REED of Bowie.

The amendment was lost.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 28 was passed to engrossment.

MOTION TO TAKE UP HOUSE
BILL NO. 28

Mr. Moore moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 28 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—87

Alsup.	Jones of Runnels.
Anderson.	Jones of Shelby.
Atchison.	Kayton.
Barrett.	Kyle of Palo Pinto.
Beck.	Laird.
Bourne.	Lange.
Bradley.	Latham.
Burns.	Lemens.
Butler.	Lotief.
Camp.	Mackay.
Cathey.	Mathis.
Caven.	McCullough.
Clayton.	McKee.
Cowley.	Metcalf.
Daniel.	Moffett.
Dean.	Moore.
Devall.	Morse.
Dunagan.	Munson.
Dwyer.	Nicholson.
Engelhard.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pavlica.
Golson.	Ratliff.
Good.	Reader.
Graves.	Reed of Dallas.
Greathouse.	Riddle.
Griffith.	Rogers of Hunt.
Hankamer.	Rollins.
Harris.	Russell.
Head.	Scarborough.
Hester.	Shannon.
Hill.	Smith.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stinson.
Huddleston.	Stubbeman.
Hughes.	Thomas.
Hunter.	Turlington.
Hyder.	Van Zandt.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Wells.
Johnson	Winningham.
of Anderson.	Young.

Nays—24

Adamson.	Hodges.
Aikin.	Hunt.
Baker.	Kyle of Hays.
Bergman.	Magee.
Canon.	Mitcham.
Chastain.	Puryear.
Crossley.	Ray.
Fain.	Reed of Bowie.
Fisher.	Shults.
Glass.	Stovall.
Goodman.	Vaughan.
Hicks.	Wood.

Absent

Barron.	Davidson.
Calvert.	Dunlap.
Celaya.	Duvall.
Colson.	Harman.
Coombes.	Harrison.

Hartzog.	Roark.
Lindsey.	Roberts.
Long.	Rogers
McDougald.	of Ochiltree.
McGregor.	Tarwater.
Merritt.	Tennyson.
Morrison.	Tillery.
Pope.	Townsend.
Renfro.	

Absent—Excused

Alexander.	Leonard.
Bedford.	Palmer.
Holloway.	Ramsey.
Johnson	Savage.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

HOUSE BILL NO. 10 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 10, A bill to be entitled "An Act to amend Section 5, of Chapter 88, of the Acts of the Second Called Session of the Forty-first Legislature, relating to the licensing of motorcycles, side cars, and passenger motor vehicles, providing a license fee therefor, fixing an effective date of this Act, and declaring an emergency";

The bill having been read second time on last Saturday, with amendment by Mr. Stinson and amendment by Mr. Head, to the amendment pending.

Mr. Stinson and Mr. Head withdrew the pending amendments.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 10 by striking out Section 2, and substituting the following in lieu thereof:

"Section 2. Before a license shall be issued for any such car or motorcycle, the owner of such car or motorcycle or his agent, shall present a tax receipt or other evidence of payment to the officer issuing such license showing the payment of all State and county ad valorem taxes due and owing on such car or motorcycle for the year preceding such registration.

"A taxpayer may, upon his request, render his motor vehicle separate and apart from all other property, personal or real, and shall, upon payment of such motor vehicle tax, be entitled to a receipt for same in order that he may comply with the other provisions set forth in this bill."

STINSON,
HEAD.

Mr. Coombes offered the following substitute for the amendment by Mr. Stinson:

Substitute for amendment to House Bill No. 10 by striking out Section 2 and substitute the following sections and renumbering all sections of the bill:

"Section —. Commencing with the license year 1935 the State Highway Department shall add to the form for registration of motor vehicles additional blank spaces for the entry of the value of the motor vehicle or motorcycle to be registered and the amount of State, county, and city or special district ad valorem taxes to be paid thereon.

"Section —. The Assessor and Collector of Taxes shall collect the full amount of all ad valorem taxes for the State, county, city, school district and/or other district taxes which shall be due upon such vehicle, and such motor vehicle shall not be otherwise assessed for ad valorem taxes; from time to time, as is now provided by general law, the Assessor and Collector of Taxes shall remit such ad valorem taxes collected by him upon such motor vehicles to the proper authority to receive same, retaining only the fee allowed for collecting such taxes, and no fee shall be allowed or retained for assessing the ad valorem tax upon such motor vehicles.

"Section —. The State Tax Commissioner shall each year in advance of the date for the registration of motor vehicles compile and distribute to the Assessors and Collectors of Taxes of the counties of the State, a list or schedule of the values of each kind of motor vehicle in use in the State of Texas, based upon the average cash sale value of such vehicle in the markets of the State, and which said list or schedule shall be the assessed value of each such motor vehicle in use in the State of Texas.

"Section —. The Assessor and Collector of Taxes shall collect such ad valorem taxes upon the registration of each motor vehicle in his county for the various districts, towns, and cities in his said county, according to the residence of the owner of such motor vehicle or in the case of a corporation, according to the location of its principal office."

Mr. Kyle of Palo Pinto moved to table the substitute amendment.

The motion to table prevailed.

Mr. Moffett moved to table the amendment by Mr. Stinson.

The motion to table prevailed.

Mr. Barrett offered the following amendment to the bill:

Amend House Bill No. 10, page 1, Section 5, by striking out the words "and for each side car, three dollars (\$3)."

The amendment was adopted.

Question—Shall House Bill No. 10 pass to engrossment?

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 12, to the Committee on Conservation and Reclamation.

Senate Bill No. 13, to the Committee on Education.

Senate Bill No. 14, to the Committee on Public Lands and Buildings.

Senate Bill No. 31, to the Committee on State Affairs.

Senate Bill No. 37, to the Committee on State Affairs.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 31, "An Act amending Chapter 90, Acts of the First Called Session of the Forty-third Legislature, 1933, by adding to Section 1, thereof, a new subdivision defining the term 'Counterfeit Stamp,' as used in said Act; and further amending said chapter by amending Section 11, thereof, redefining the offense prohibited therein, and prescribing the penalty for a violation thereof; and further amending said chapter by adding new sections thereto; etc."

MESSAGES FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,
Austin, Texas, February 19, 1934.

To the Forty-third Legislature in
Second Called Session:

At the request of Representative Pope, I submit herewith, for your consideration, a bill to be entitled "An Act to authorize certain cities in this State to issue bonds, notes, or warrants payable from revenues other than taxation for construction, maintenance, and operation of a toll bridge or toll bridges over and across any stream, inlet or arm of the Gulf of Mexico, or entrance channel to a port in any such city; the construction, maintenance and operation of a sewage disposal plant; construction of sanitary and/or storm sewer lines; construction of water mains or lines from sources of water supply; acquisition, reclamation, reconstruction and filling in of any submerged lands along the water front of said city and construction of sidewalks, streets, and gas lines within territory so acquired or reclaimed; construction of sea walls, breakwaters and other shore protections; construction, reconstruction, maintenance, operation and dredging out of any channel in connection with such port; providing certain improvements may be constructed within or without limits of any such city; etc., and declaring an emergency."

At the request of Senator Reagan, I am submitting herewith, for your consideration a bill to be entitled "An Act for the validation of the organization of all defined districts organized as water improvement districts, the name of which has been changed to water power control district, and providing for the validation of elections held in water power control districts for authorization of issuance of bonds and/or incurring debts and/or obligations, and providing for and authorizing any water power control district to make and enter into contracts with the United States of America and/or any agencies acting under laws passed by the Congress of the United States for the purpose of acquiring property and the construction of works and improvements for such water power control districts; etc., and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, February 19, 1934.

To the Forty-third Legislature in
Second Called Session:

At the request of Representatives Holloway and Latham, I am submitting herewith, for your consideration, a bill to be entitled "An Act amending Article 3883, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature; and amending Article 3902, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature; providing for the fees of office that may be retained by certain precinct officers in certain counties; providing for salaries that may be paid certain assistants to certain officers in certain counties; and declaring an emergency."

By request, I am submitting herewith, for your consideration, a bill hereto attached, to be entitled "An Act to prohibit the operation of travel bureaus; to prohibit anyone from holding out to the public that such person is engaged in the business of a travel bureau; to prohibit anyone from soliciting other persons to travel by motor vehicle over the public roads of Texas, where such person is to pay money for said transportation or any portion of the expense thereof; defining a travel bureau, making violations of the Act a misdemeanor, fixing penalties; etc., and declaring an emergency."

At the request of Representative Caven, I am submitting herewith, for your consideration, a bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 48,500, and not more than 49,000, according to the last Federal Census, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Davidson:

H. B. No. 140, A bill to be entitled "An Act to provide revenue for the Public School Fund by levying a tax of one-half of one per cent on insurance purchased by State employes, under the terms of this Act, and to authorize the Comptroller of Public Accounts of the State of Texas, and other State officials to recognize assignments of salary due or to become due each month to any and every employe of any department of the State of Texas, to any life insurance company licensed to transact business in the State of Texas, for the purpose of paying premiums on policies of insurance on the life of the assignor or members of the assignor's immediate family; authorizing and directing such disbursing officials to pay sums so assigned to the assignee or its duly authorized agent; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Labor.

By Mr. Steward:

H. B. No. 141, A bill to be entitled "An Act to prohibit the taking, killing or possession of wild fox for the purpose of barter or sale in certain counties, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mrs. Hughes and Mr. Metcalfe:

H. B. No. 142, A bill to be entitled "An Act amending Articles 3281 and 3286, of the Revised Civil Statutes of 1925, both of said articles relating to escheated estates, by providing that all escheated lands shall become a part of the Permanent School Fund of Texas; providing for lease or sale of said lands and the terms thereof, by the Commissioner of the General Land Office; limiting the time for filing suits for recovery of said escheated property from the State to four (4) years; and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Pope:

H. B. No. 143, A bill to be entitled "An Act to authorize certain cities in this State to issue bonds, notes or warrants, payable from revenues other than taxation, for construction, maintenance, and operation of a toll bridge or toll bridges, over and across

any stream, inlet, or arm of the Gulf of Mexico, or entrance channel to a port in any such city; the construction, maintenance, and operation of a sewage disposal plant; construction of sanitary and/or storm sewer lines; construction of water mains or lines from sources of water supply; acquisition, reclamation, reconstruction, and filling in of any submerged lands along the water front of said city, and construction of sidewalks; etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Holloway and Mr. Latham:

H. B. No. 144, A bill to be entitled "An Act amending Article 3883 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature; and amending Article 3902 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature; providing for the fees of office that may be retained by certain precinct officers in certain counties; providing for salaries that may be paid certain assistants to certain officers in certain counties; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Caven:

H. B. No. 145, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 48,500, and not more than 49,000, according to the last Federal Census, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Clayton:

H. B. No. 146, A bill to be entitled "An Act providing for the validation of the organization of all defined districts organized as water improvement districts, the name of which has been changed to water power control district, and providing for the validation of elections held in water power control districts for authorization of issuance of bonds and/or incurring debts and/or obligations, and providing for and authorizing any water power control district to make and enter into contracts with the United States of America and/or any agencies acting under laws passed by the Congress of the United

States for the purpose of acquiring property and the construction of works and improvements for such water power control districts, when the authorization for the issuance of bonds shall have been authorized by an election in such district, and providing for carrying out of the terms and provisions of contracts made by such districts with the United States and/or any agency of the United States, and providing that such districts may issue bonds and incur debts and obligations and may sell same to the United States; etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Kayton:

H. B. No. 147, A bill to be entitled "An Act to prohibit the operation of travel bureaus; to prohibit anyone from holding out to the public that such person is engaged in the business of a travel bureau; to prohibit anyone from soliciting other persons to travel by motor vehicle over the public roads of Texas where such person is to pay money for said transportation or any portion of the expenses thereof; defining a travel bureau, making violations of the Act a misdemeanor; etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

RECESS

On motion of Mr. Anderson, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 10 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 10, relative to the registration of motor vehicles, on passage to engrossment; the bill having heretofore been read second time.

Mr. Dunagan moved the previous question on the pending amendments on the Speaker's desk and the bill, and the motion was not seconded.

Mr. Ray offered the following amendment to the bill:

Amend House Bill No. 10 by striking out the words and figures "five dollars (\$5)," and inserting in lieu thereof the words and figures "seven dollars (\$7)."

Mr. Moffett offered the following substitute for the amendment:

Amend House Bill No. 10 by striking out all below the enacting clause, and substituting the following:

"Section 1. That Section 5, of Chapter 88, of the General Laws of the Forty-first Legislature, Second Called Session, be amended so as to hereafter read as follows:

"Section 5. The annual license fee for the registration of a motorcycle shall be five dollars (\$5), and for each side car three dollars (\$3). The annual license fee for the registration of passenger cars shall be based upon the weight of the vehicle, as follows:

"Weight in pounds	Fee per 100 pounds or fraction thereof
1—2,000	\$0.18
2,001—3,500	.24
3,501—4,500	.32
4,501—and up	.33

"Weight of any passenger car, for the purpose of registration, shall be the weight generally accepted as its correct shipping weight plus one hundred (100) pounds."

"Sec. 2. This Act shall take effect and be in force from and after March 31, 1935."

MOFFETT,
ROLLINS,
ALEXANDER,
HARRIS,
TARWATER,
TILLERY,
FAIN.

Mr. Anderson moved to table the amendment offered by Mr. Moffett.

The motion to table was lost.

Question next recurring on the substitute amendment offered by Mr. Moffett, it was adopted.

Mr. Anderson offered the following amendment to the amendment as substituted:

Amend amendment as substituted by adding a new section, to read as follows:

"Section —. Due to the fact the Legislature is continually called upon to extend the time of payment of automobile license fees owing to their excessive cost, and the further fact the State will actually encourage ownership of more automobiles by lowering the cost of the license fee thereof, gaining in the gasoline tax receipts, create an emergency and imperative public necessity, requiring the constitutional rule, that bills shall be read on three several days, should be suspended, and the constitutional rule is hereby suspended, and it is so enacted."

The amendment to the amendment was adopted.

The amendment as substituted was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 10 was then passed to engrossment.

HOUSE BILL NO. 10 ON THIRD READING

Mr. Anderson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Adamson.	Davidson.
Aikin.	Dean.
Alexander.	Devall.
Alsup.	Dunagan.
Anderson.	Duvall.
Atchison.	Dwyer.
Baker.	Engelhard.
Barrett.	Fain.
Bergman.	Fisher.
Bourne.	Ford.
Bradley.	Fuchs.
Burns.	Glass.
Butler.	Golson.
Calvert.	Graves.
Camp.	Greathouse.
Canon.	Griffith.
Cathey.	Hankamer.
Caven.	Harman.
Chastain.	Harris.
Clayton.	Hartzog.
Coombes.	Head.
Cowley.	Hester.
Daniel.	Hill.

Hodges.	Parkhouse.
Holekamp.	Patterson.
Holland.	Pavlica.
Hoskins.	Puryear.
Huddleston.	Ratliff.
Hughes.	Ray.
Hunter.	Reed of Bowie.
Hyder.	Reed of Dallas.
Jackson.	Riddle.
James.	Roark.
Johnson	Roberts.
of Anderson.	Rogers of Hunt.
Jones of Runnels.	Rollins.
Jones of Shelby.	Russell.
Kayton.	Savage.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Shults.
Lemens.	Smith.
Long.	Stanfield.
Lotief.	Stinson.
Mackay.	Tennyson.
Magee.	Thomas.
McCullough.	Tillery.
McKee.	Townsend.
Merritt.	Turlington.
Metcalfe.	Van Zandt.
Mitcham.	Vaughan.
Moffett.	Walker.
Moore.	Wells.
Morrison.	Winningham.
Morse.	Wood.
Nicholson.	Young.

Nays—8

Crossley.	Lindsey.
Good.	Munson.
Goodman.	Stovall.
Hicks.	Wagstaff.

Absent

Barron.	McDougald.
Beck.	McGregor.
Celaya.	Pope.
Colon.	Reader.
Dunlap.	Renfro.
Harrison.	Rogers
Hunt.	of Ochiltree.
Jefferson.	Scarborough.
Laird.	Steward.
Lange.	Stubbeman.
Latham.	Tarwater.
Mathis.	

Absent—Excused

Bedford.	Leonard.
Holloway.	Palmer.
Johnson	Ramsey.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

The Speaker then laid House Bill No. 10 before the House on its third reading and final passage.

The bill was read third time.

Mr. Wagstaff offered the following amendment to the bill:

Amend House Bill No. 10 by adding a new section, as follows:

"Section —. The amount retained by each county in excess of \$50,000, as provided by existing laws, shall be, and the same is hereby, reduced one-third from the amounts permitted by existing laws."

Mr. Anderson raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Moffett moved that Section 7, of Rule XX, of the House Rules, be suspended, for the purpose of considering the amendment.

The motion prevailed.

Mr. Moore raised a point of order on further consideration of the amendment by Mr. Wagstaff, on the ground that it violates certain constitutional provisions.

The Speaker sustained the point of order.

Mr. Wagstaff offered the following amendment to the bill:

Amend House Bill No. 10 by adding a new section, as follows:

"Section —. Section 10, of Chapter 88, page 172, Acts of the Second Called Session of the Forty-first Legislature, is hereby amended to read as follows:

"Section 10. Apportionment of Funds. On Monday of each week, each county tax collector shall deposit in the county depository of his county to the credit of the county road and bridge fund an amount equal to one hundred per cent (100%) of net collections made hereunder during the preceding week until the amount so deposited for the current calendar year shall have reached a total sum of fifty thousand dollars (\$50,000).

"Thereafter, and, until the amount so deposited for the year shall have reached a total of one hundred and twenty thousand dollars (\$120,000), he shall deposit to the credit of said fund on Monday of each week an amount equal to fifty per cent (50%) of collections made hereunder during the preceding week.

"Thereafter, he shall make no further deposits to the credit of said

fund during that calendar year. All collections made during any week, in excess of the amounts required to be deposited to the credit of the road and bridge fund of his county, shall be remitted by each county tax collector on each Monday of the succeeding week to the State Highway Department, together with carbon copies of each license receipt issued hereunder during the preceding week. He shall also, on Monday of each week, remit to the department, as now provided by law, all transfer fees and chauffeurs' license fees collected by him during the preceding week, together with carbon copies of all receipts issued for said fees during the week.

"He shall also accompany all remittances to the Highway Department with a complete report of such collections made and disposition made thereof, the form and contents of said report to be prescribed by the State Highway Department. None of the moneys, so placed to the credit of the road and bridge fund of a county, shall be used to pay the salary or compensation of any county judge or county commissioners, but all of said moneys shall be used for the construction and maintenance of lateral roads in such county under the supervision of the county engineer, if there be one, and if there is no such engineer, then the county commissioners court shall have authority to command the services of the division engineer of the State Highway Department for the purpose of supervising the construction and surveying of lateral roads in their respective counties. All funds allocated to the counties, by the provisions of this Act, may be used by the counties in the payment of obligations, if any, issued and incurred in the construction or improvement of all roads, including State highways of such counties and districts therein; or the improvement of the roads comprising the county road system."

Mr. Moore raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Van Zandt moved that Section 7, of Rule XX, of the House Rules,

be suspended for the purpose of considering the amendment.

The motion prevailed.

Mr. Moore raised a point of order on further consideration of the amendment, on the ground that it changes the original purpose of the bill.

The Speaker overruled the point of order.

Mr. Moore raised a point of order on further consideration of the amendment by Mr. Wagstaff, on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Speaker overruled the point of order.

Mr. Van Zandt offered the following amendment to the amendment by Mr. Wagstaff:

Amend amendment by striking out the words and figures "fifty thousand dollars (\$50,000)," wherever it occurs, and substitute in lieu thereof the words and figures "sixty thousand (\$60,000)."

Mr. Wells moved the previous question on the pending amendments and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Anderson offered the following substitute for the amendment by Mr. Van Zandt to the amendment:

Amend amendment to House Bill No. 10 by substituting for the first two paragraphs the following:

"Section 10. Apportionment of Funds. On Monday of each week, each county tax collector shall deposit in the county depository of his county to the credit of the county road and bridge fund an amount equal to 100 per cent of net collections made hereunder during preceding week until the amount so deposited shall have reached the total sum of one hundred seventy-five thousand dollars (\$175,000)."

On motion of Mr. Wagstaff, the amendment offered by Mr. Anderson was tabled.

Mr. Coombes offered the following substitute for the amendment offered by Mr. Van Zandt:

Amend amendment by changing words and figures "sixty thousand dollars (\$60,000)" to "thirty thousand dollars (\$30,000)."

Mr. Wagstaff moved to table the amendment by Mr. Coombes.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—99

Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Atchison.	Lange.
Baker.	Latham.
Barrett.	Lemens.
Beck.	Lindsey.
Bergman.	Lotief.
Bourne.	Magee.
Burns.	McCullough.
Butler.	McKee.
Calvert.	Merritt.
Canon.	Metcalfe.
Caven.	Mitcham.
Celaya.	Moffett.
Chastain.	Morrison.
Clayton.	Munson.
Cowley.	Pavlica.
Crossley.	Pope.
Daniel.	Puryear.
Davidson.	Ratliff.
Dean.	Ray.
Devall.	Reed of Bowie.
Dunagan.	Riddle.
Engelhard.	Roark.
Fain.	Roberts.
Fisher.	Rogers of Hunt.
Ford.	Rogers
Fuchs.	of Ochiltree.
Glass.	Scarborough.
Golson.	Shults.
Goodman.	Smith.
Griffith.	Stanfield.
Hankamer.	Steward.
Harman.	Stovall.
Harris.	Stubbeman.
Head.	Tarwater.
Hester.	Thomas.
Hicks.	Tillery.
Hodges.	Townsend.
Holekamp.	Turlington.
Holland.	Van Zandt.
Huddleston.	Vaughan.
Hunt.	Wagstaff.
Hunter.	Walker.
Hyder.	Wells.
James.	Winningham.
Johnson	Wood.
of Anderson.	Young.
Jones of Runnels.	

Nays—22

Cathey.	Hoskins.
Coombes.	Hughes.
Duvall.	Jefferson.
Dwyer.	Laird.
Greathouse.	Mackay.

Mathis.
Moore.
Morse.
Nicholson.
Parkhouse.
Reader.

Reed of Dallas.
Renfro.
Russell.
Savage.
Shannon.
Stinson.

Absent

Anderson.	Hartzog.
Barron.	Hill.
Bradley.	Jackson.
Camp.	Long.
Colson.	McDougald.
Dunlap.	McGregor.
Good.	Patterson.
Graves.	Rollins.
Harrison.	Tennyson.

Absent—Excused

Bedford.	Leonard.
Holloway.	Palmer.
Johnson	Ramsey.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

Mr. Coombes moved to table the amendment offered by Mr. Van Zandt. The motion to table prevailed.

(Mr. Van Zandt in the Chair.)

Mr. McGregor offered the following substitute for the amendment by Mr. Wagstaff:

Amend amendment to House Bill No. 10, page 1, line 28, by adding after the word "pounds" the following:

"Provided, in all counties having less than fifty thousand population, all fees collected hereunder shall be kept in the county where collected, and in all counties with more than fifty thousand population, one-half of such fees shall be kept by such county where collected, and the other one-half shall be paid into the State Treasury to the use of the Highway Department."

McGREGOR,
CATHEY.

On motion of Mr. Fain and Mr. Adamson, the amendment by Mr. McGregor was tabled.

Mr. Anderson moved to table the amendment by Mr. Wagstaff.

The motion to table was lost.

Mr. Wells moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Wagstaff, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—90

Adamson.	Laird.
Aikin.	Latham.
Alexander.	Lemens.
Alsup.	Lindsey.
Atchison.	Lotief.
Baker.	Magee.
Barrett.	McCullough.
Barron.	Merritt.
Beck.	Metcalfe.
Bergman.	Mitcham.
Bourne.	Moffett.
Burns.	Morrison.
Calvert.	Munson.
Canon.	Patterson.
Cathey.	Pavlica.
Celaya.	Pope.
Chastain.	Puryear.
Colson.	Ratliff.
Cowley.	Ray.
Crossley.	Reed of Bowie.
Dean.	Riddle.
Devall.	Roark.
Dunagan.	Roberts.
Engelhard.	Rogers of Hunt.
Fain.	Rogers
Fisher.	of Ochiltree.
Fuchs.	Rollins.
Glass.	Russell.
Goodman.	Scarborough.
Harris.	Shults.
Hartzog.	Smith.
Head.	Stanfield.
Hicks.	Steward.
Holekamp.	Stovall.
Hoskins.	Stubbeman.
Huddleston.	Tarwater.
Hunt.	Tillery.
Hunter.	Townsend.
Hyder.	Turlington.
James.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Jones of Runnels.	Wells.
Jones of Shelby.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.

Nays—38

Anderson.	Hankamer.
Bradley.	Harman.
Butler.	Holland.
Camp.	Hughes.
Clayton.	Jackson.
Coombes.	Jefferson.
Davidson.	Kayton.
Duvall.	Lange.
Dwyer.	Long.
Ford.	Mackay.
Golson.	Mathis.
Good.	McGregor.
Greathouse.	McKee.
Griffith.	Moore.

Morse.	Shannon.
Parkhouse.	Stinson.
Reed of Dallas.	Tennyson.
Renfro.	Thomas.
Savage.	Walker.

Absent

Caven.	Hill.
Daniel.	Hodges.
Dunlap.	McDougald.
Graves.	Nicholson.
Harrison.	Reader.
Hester.	

Absent—Excused

Bedford.	Leonard.
Holloway.	Palmer.
Johnson	Ramsey.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 10 was then passed by the following vote:

Yeas—118

Adamson.	Hankamer.
Aikin.	Harman.
Alexander.	Harris.
Anderson.	Hartzog.
Atchison.	Head.
Baker.	Hicks.
Barrett.	Hodges.
Barron.	Holekamp.
Bergman.	Holland.
Bourne.	Hoskins.
Bradley.	Huddleston.
Burns.	Hughes.
Butler.	Hunt.
Calvert.	Hunter.
Camp.	Hyder.
Canon.	Jackson.
Cathey.	James.
Celaya.	Jefferson.
Chastain.	Johnson
Clayton.	of Anderson.
Colson.	Jones of Runnels.
Coombes.	Jones of Shelby.
Cowley.	Kayton.
Davidson.	Kyle of Hays.
Dean.	Kyle of Palo Pinto.
Devall.	Laird.
Dunagan.	Lange.
Duvall.	Latham.
Engelhard.	Lemens.
Fain.	Lindsey.
Fuchs.	Long.
Glass.	Lotief.
Golson.	Mackay.
Goodman.	Magee.
Greathouse.	McCullough.
Griffith.	McGregor.

McKee.	Savage.
Merritt.	Scarborough.
Metcalf.	Shannon.
Mitcham.	Shults.
Moffett.	Smith.
Moore.	Stanfield.
Morrison.	Stinson.
Morse.	Stovall.
Parkhouse.	Stubbeman.
Patterson.	Tarwater.
Pavlica.	Tennyson.
Pope.	Thomas.
Puryear.	Tillery.
Ratliff.	Townsend.
Ray.	Turlington.
Reed of Bowie.	Van Zandt.
Reed of Dallas.	Vaughan.
Renfro.	Wagstaff.
Riddle.	Walker.
Roark.	Wells.
Roberts.	Winningham.
Rogers of Hunt.	Wood.
Rollins.	Young.
Russell.	

Nays—10

Beck.	Mathis.
Caven.	Munson.
Daniel.	Rogers
Fisher.	of Ochiltree.
Ford.	Steward.
Good.	

Absent

Alsup.	Hester.
Crossley.	Hill.
Dunlap.	McDougald.
Dwyer.	Nicholson.
Graves.	Reader.
Harrison.	

Absent—Excused

Bedford.	Leonard.
Holloway.	Palmer.
Johnson	Ramsey.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

Mr. Anderson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 19, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 43, A bill to be entitled "An Act to authorize certain cities in this State to issue bonds, notes,

or warrants, payable from revenues other than taxation, for construction, maintenance, and operation of a toll bridge, or toll bridges, over and across any stream, inlet, or arm of the Gulf of Mexico, or entrance channel to a port in any such city; etc., and declaring an emergency."

H. B. No. 39, A bill to be entitled "An Act making an emergency appropriation of money for the Sam Houston State Teachers College, at Huntsville, Texas, and the Penitentiary System, located at Huntsville, Texas; providing the purposes thereof, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

H. B. No. 39, "An Act making an emergency appropriation of money for the Sam Houston State Teachers College, at Huntsville, Texas, and the Penitentiary System, located at Huntsville, Texas; providing the purposes thereof, the means and manner of expenditure, and declaring an emergency."

S. C. R. No. 3, Granting Max Hirsh permission to sue the State.

S. C. R. No. 9, Granting N. W. Buchanan permission to sue the State.

NOTICE GIVEN

Mr. Butler gave notice that he would, on the next legislative day, call up the motion to reconsider the vote by which Senate Bill No. 25 was passed; which motion to reconsider was heretofore spread on the Journal.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 19, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 23, Requesting the Governor of Texas to issue proclamation designating Sunday, March 4,

1934, in commemoration of the first year of President Roosevelt's Administration.

S. C. R. No. 24, Inviting Hon. Henry P. Drought, Director of Compliance for the NRA, in Texas, to address a Joint Session of the Legislature at 11 a. m., on February 20, 1934.

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 99 ON FINAL PASSAGE

Mr. Puryear moved to reconsider the vote by which House Bill No. 99 was passed.

The motion to reconsider prevailed.

House Bill No. 99 was then passed by the following vote:

Yeas—101

Adamson.	Hughes.
Aikin.	Hyder.
Alexander.	Jefferson.
Alsup.	Johnson
Atchison.	of Anderson.
Baker.	Jones of Runnels.
Barron.	Kayton.
Beck.	Kyle of Hays.
Bourne.	Kyle of Palo Pinto.
Bradley.	Laird.
Butler.	Lange.
Calvert.	Latham.
Canon.	Lindsey.
Celaya.	Long.
Chastain.	Lotief.
Clayton.	Mackay.
Colson.	Magee.
Cowley.	Mathis.
Crossley.	McCullough.
Daniel.	McGregor.
Davidson.	McKee.
Dean.	Metcalfe.
Devall.	Mitcham.
Dunlap.	Moffett.
Dunagan.	Moore.
Dwyer.	Morrison.
Fain.	Morse.
Fisher.	Munson.
Fuchs.	Patterson.
Glass.	Pavlica.
Golson.	Pope.
Good.	Puryear.
Goodman.	Ratliff.
Harris.	Ray.
Head.	Reed of Bowie.
Hester.	Riddle.
Hicks.	Roark.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rogers
Hoskins.	of Ochiltree.

Rollins.	Thomas.
Russell.	Tillery.
Shults.	Turlington.
Smith.	Van Zandt.
Stanfield.	Vaughan.
Steward.	Wagstaff.
Stinson.	Walker.
Stovall.	Wells.
Stubbeman.	Winningham.
Tarwater.	Wood.
Tennyson.	Young.

Nays—22

Barrett.	Huddleston.
Bergman.	Hunt.
Burns.	Hunter.
Camp.	Jackson.
Cathey.	James.
Coombes.	Jones of Shelby.
Ford.	Parkhouse.
Greathouse.	Reed of Dallas.
Griffith.	Scarborough.
Hankamer.	Shannon.
Hartzog.	Townsend.

Present—Not Voting

Merritt.

Absent

Anderson.	Hill.
Caven.	Lemens.
Duvall.	McDougald.
Engelhard.	Nicholson.
Graves.	Reader.
Harman.	Renfro.
Harrison.	Savage.

Absent—Excused

Bedford.	Leonard.
Holloway.	Palmer.
Johnson	Ramsey.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

Mr. Long moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 96 ON FINAL PASSAGE

Mr. Long moved to reconsider the vote by which House Bill No. 96 was passed.

The motion to reconsider prevailed.

Mr. Camp raised a point of order on further consideration of the bill, on the ground that it violates Article II of the State Constitution.

The Chair overruled the point of order.

House Bill No. 96 was then passed by the following vote:

Yeas—90

Adamson.	Lotief.
Alexander.	Mackay.
Alsup.	Magee.
Anderson.	Mathis.
Atchison.	McCullough.
Baker.	McGregor.
Barron.	McKee.
Bourne.	Merritt.
Bradley.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Celaya.	Morrison.
Chastain.	Morse.
Clayton.	Munson.
Colson.	Patterson.
Cowley.	Pavlica.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ratliff.
Devall.	Ray.
Dunagan.	Reed of Bowie.
Dwyer.	Renfro.
Fain.	Riddle.
Fisher.	Roark.
Fuchs.	Roberts.
Glass.	Shults.
Golson.	Smith.
Good.	Stanfield.
Goodman.	Steward.
Harris.	Stinson.
Hester.	Stovall.
Holekamp.	Stubbeman.
Holland.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hyder.	Tillery.
Jefferson.	Turlington.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Runnels.	Wagstaff.
Kyle of Palo Pinto.	Walker.
Laird.	Wells.
Lange.	Winningham.
Latlam.	Wood.
Lindsey.	Young.
Long.	

Nays—29

Aikin.	Hicks.
Barrett.	Hodges.
Bergman.	Hoskins.
Burns.	Hunt.
Camp.	Hunter.
Canon.	Jackson.
Cathey.	James.
Coombes.	Jones of Shelby.
Crossley.	Parkhouse.
Ford.	Reed of Dallas.
Greathouse.	Rogers of Hunt.
Griffith.	Russell.
Hankamer.	Scarborough.
Hartzog.	Shannon.
Head.	

Absent

Beck.	Caven.
-------	--------

Dunlap.	McDougald.
Duvall.	Metcalfe.
Engelhard.	Nicholson.
Graves.	Reader.
Harman.	Rogers
Harrison.	of Ochiltree.
Hill.	Rollins.
Kayton.	Savage.
Kyle of Hays.	Townsend.
Lemens.	

Absent—Excused

Bedford.	Leonard.
Holloway.	Palmer.
Johnson	Ramsey.
of Dimmit.	Scott.
Jones of Atascosa.	Weinert.

RELATIVE TO SENATE BILL
NO. 3

Mrs. Hughes moved that the regular order of business be suspended, and that Senate Bill No. 3 be placed on second reading and passage to third reading.

Question—Shall the motion by Mrs. Hughes prevail?

MESSAGES FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,
Austin, Texas, February 19, 1934.

To the Forty-second Legislature in
Second Called Session:

At the request of Senator Collie, I am submitting for your consideration the attached six bills, amending the Code of Criminal Procedure.

Respectfully,

MIRIAM A. FERGUSON,
Governor.

Executive Office,
Austin, Texas, February 19, 1934.

To the Forty-second Legislature in
Second Called Session:

At the request of Senator Woodward, I am submitting for your consideration the attached four bills, amending the Code of Criminal Procedure.

Respectfully,

MIRIAM A. FERGUSON,
Governor.

Executive Office,
Austin, Texas, February 19, 1934.
To the Forty-second Legislature in
Second Called Session:

At the request of Representatives Rogers and Stanfield, I herewith submit for your consideration a bill to be entitled "An Act to aid the Counties of Dallam, Sherman, Hansford, Hartley, Moore, Hutchinson, Ochiltree, Roberts, Lipscomb, Hemphill, Potter, Oldham, Carson, Armstrong, Randall, and Deaf Smith, by releasing said counties from the payment of all ad valorem taxes levied for State purposes, and all interest and penalties which have accrued on such taxes which may have become delinquent, and all such ad valorem taxes as have heretofore been paid for the years 1933 to and including the year 1938; etc., and declaring an emergency."

Respectfully,
MIRIAM A. FERGUSON,
Governor.

Executive Office,
Austin, Texas, February 19, 1934.
To the Forty-second Legislature in
Second Called Session:

At the request of Representative Engelhard and others, I am submitting herewith, for your consideration, a bill to be entitled "An Act amending Senate Bill No. 4, of Acts 1933, Forty-third Legislature of the State of Texas, First Called Session, by amending Sections 6, 7, and 8 thereof."

Respectfully,
MIRIAM A. FERGUSON,
Governor.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Scarborough:

H. B. No. 148, A bill to be entitled "An Act to amend Article 878, of the Penal Code of the Revised Civil Statutes of 1928, relating to the wild duck and geese zone; placing certain counties in the north zone which are now located in the south zone, being Shelby, Nacogdoches, San Augustine, Angelina, Sabine, Polk, Tyler, Jasper, and Newton, and changing the zone line so as to include these counties

in the north zone, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Jones of Runnels:

H. B. No. 149, A bill to be entitled "An Act providing for the licensing and identification of dogs allowed to run at large in Runnels County, Texas, off the premises of the owner of such dog or dogs; prescribing the penalty for violation of this Act, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Shults and Mr. Duvall:

H. B. No. 150, A bill to be entitled "An Act establishing a uniform method whereby any legal subdivision of this State may effect a composition of creditors for the purpose of paying off the indebtedness incurred by it through the issuance and sale of bonds and/or warrants, and thereby providing prompt relief for those subdivisions unable to meet such indebtedness in full because of the prevailing unprecedented economic condition, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Rogers of Ochiltree and Mr. Stanfield:

H. B. No. 151, A bill to be entitled "An Act to aid the counties of Dallam, Sherman, Hansford, Hartley, Moore, Hutchison, Ochiltree, Roberts, Lipscomb, Hemphill, Potter, Oldham, Carson, Armstrong, Randall, and Deaf Smith, by releasing said counties from the payment of all ad valorem taxes levied for State purposes; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Engelhard, Mr. Bourne, Mr. Mitcham, Mr. Canon, and Mr. Pavlica:

H. B. No. 152, A bill to be entitled "An Act amending Senate Bill No. 4, of Acts, 1933, Forty-third Legislature of the State of Texas, First Called Session, by amending Sections 6, 7, and 8 thereof." (Relating to defaulting of more than two tax installments.)

Referred to Committee on Judiciary.

By Mr. Griffith:

H. B. No. 153, A bill to be entitled "An Act creating a water conservation and reclamation district as a public corporation under Section 59, etc.; providing that the corporation may enter into contracts and other obligations, acquire and hold property, sue and be sued in its corporate name, for the borrowing of money, the issuance of bonds, notes, and other obligations, and encumbering and pledging the property of the corporation; providing for the deposit, withdrawal, and disbursement of funds, financial statements, and disposition of net earnings, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 43, to the Committee on Judiciary.

RECESS

Mr. Butler moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Tennyson moved that the House recess to 10 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Butler, it was lost.

Question next recurring on the motion by Mr. Tennyson, it prevailed, and the House, accordingly, at 5:40 o'clock p. m., took recess until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: House Bills Nos. 132 and 133.

Public Lands and Buildings: House Bills Nos. 136, 142; Senate Bill No. 14.

Conservation and Reclamation: House Bill No. 146; Senate Bill No. 12.

Education: House Bills Nos. 13 and 137.

Revenue and Taxation: House Bills Nos. 87 and 119.

The Committee on Revenue and Taxation filed an adverse report on House Bill No. 21.

The Committee on Revenue and Taxation filed an adverse report, with a minority favorable report, on House Bill No. 40.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, February 17, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 34, A bill to be entitled "An Act granting permission to Mrs. Ola Anderson and Oran Anderson, surviving wife and son of Henry A. Anderson, deceased, to bring suit against the State of Texas in the District Court of Denton County, Texas, for damages for personal injuries resulting in death received by the said Henry A. Anderson while on duty as a laborer in the employ of the North Texas State Teachers College, at Denton, Texas; etc.,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 17, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 96, A bill to be entitled "An Act to amend Section 9, of Article 1112-b, of the Penal Code of the State of Texas, being Section 9 of an Act of the Forty-third Legislature, passed at its Regular Session, Chapter 165, page 422, by providing for punishment by fine not exceeding five hundred dollars (\$500), etc.; making the president of any corporation the chief managing executive of each association, and the active members of each firm and partnership and the trustees of each trust criminally responsible for the failure to comply with the terms of said Act, or for the violation of any of the terms or provisions thereof, or any rule or order duly adopted and promulgated by the said governmental

agency under the terms of said Act; declaring it to be the legislative intent to enact each separate provision independent of the other provisions, and if any clause, sentence, or part of said Act shall be declared unconstitutional, the same shall not affect any other clause, sentence, or part of same, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 17, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 79, A bill to be entitled "An Act amending Section 3, of Chapter 67, Acts of the First Called Session of the Forty-third Legislature, same being Senate Bill No. 52, so as to provide the method of prorating funds provided in said chapter; fixing date for filing claims under said appropriation; providing that claims arising thereunder shall not be negotiable or assignable; providing that no commissions or fees shall be paid for presenting and/or prosecuting said claims, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 17, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 106, A bill to be entitled "An Act prohibiting fishing in Lake Brownwood, in Brown County, until May 15, 1935; prohibiting fishing at any time except during the open season provided in this Act; fixing the open season after May 15, 1935, from May 15 to February 1; prohibiting the possession of any fishing tackle or fishing device on the waters of Lake Brownwood at any time except during the open season; fixing a penalty for violation of this Act; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 17, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 99, A bill to be entitled "An Act amending Section 5, of Chapter 26, Acts, Forty-second Legislature, First Called Session, providing for the control of refineries, requiring reports of same, authorizing the Railroad Commission agents to inspect refinery properties; requiring such refineries to equip their pipe lines with meters and report measurements of same, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 16, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 100, A bill to be entitled "An Act providing for the compensation of county commissioners in certain counties having a population of not less than 17,570 and not more than 17,580, and not less than 16,550 and not more than 16,575, according to the Federal Census for the year 1930; and defining from what fund such salaries shall be paid, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 16, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 110, A bill to be entitled "An Act empowering the board of education or board of trustees of certain independent school districts, by resolution passed by majority vote of the members of such board of education or board of trustees, beginning with 1933 delinquent taxes due to such independent school districts; etc.,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 17, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 115, A bill to be entitled
"An Act to make it unlawful to take,
hunt, trap, shoot, or kill any wild
quail of any species, for a period of
five (5) years, in Midland County,
Texas; fixing penalty, and declaring
an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 17, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 124, A bill to be entitled
"An Act to amend Chapter 105 of the
Special Laws passed by the Thirty-
third Legislature, at its Regular Ses-
sion in 1913, same being a special
road law for Jackson County, Texas,
by adding thereto Sections 4-a, 4-b,
and 4-c, creating Road District No.
7, Jackson County, Texas, defining
and specifically setting out its bound-
aries; etc.,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, February 16, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 52, A bill to be entitled
"An Act making a supplemental ap-
propriation for the Ranger Service,
the State Board of Control, the Ex-
amining Division of the Insurance De-
partment, the Executive Department,
the Texas State Department of Agri-
culture, the Live Stock Sanitary Com-
mission, the Bureau of Labor Statis-
tics, the State Auditor and Efficiency
Expert, and the Attorney General's
Department for the two-year period
beginning September 1, 1933, and
ending August 31, 1935; and for

other purposes; and declaring an
emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, February 19, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 39, "An Act making an
emergency appropriation of money
for the Penitentiary System, located
at Huntsville, Texas; providing the
purposes thereof, the means and man-
ner of expenditure, and declaring an
emergency,"

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, February 19, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 31, "An Act amending
Chapter 90, Acts of the First Called
Session of the Forty-third Legisla-
ture, 1933, by adding to Section 1
thereof a new subdivision defining
the term 'Counterfeit Stamp,' as
used in said Act; and further amend-
ing said chapter by amending Sec-
tion 11 thereof, redefining the offense
prohibited therein, and prescribing
the penalty for a violation thereof;
and further amending said chapter
by adding new sections thereto au-
thorizing a conviction for any offense
prohibited by said Act upon the un-
corroborated testimony of an accom-
plice; authorizing courts and tri-
bunals having jurisdiction to compel
witnesses to testify relative to viola-
tions of said Act; providing that
offenses committed, or prosecutions
begun, are to be conducted under the
existing law, and declaring an emer-
gency,"

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

In Memory of

Mrs. D. L. Palmer

Mr. Jones of Runnels offered the following resolution:

Whereas, On the seventeenth day of February, 1934, Mrs. D. L. Palmer, the mother of our esteemed colleague, Hon. Gaston Palmer, of Normangee, Texas, passed to her eternal reward, and

Whereas, She was a devoted mother, living an exemplary Christian life and beloved by all who knew her, and

Whereas, We are cognizant of the great loss sustained by the bereaved family and host of friends; therefore, be it

Resolved by the House of Representatives of the State of Texas, That we extend to our colleague, Hon. Gaston Palmer and family, the full measure of our sympathy in this sad bereavement; and, be it further

Resolved, When we adjourn today we do so in memory of the passing of Mrs. D. L. Palmer, and that a copy of this resolution be sent to the Hon. Gaston Palmer and family, and that a page of the House Journal be dedicated to her memory.

JONES of Runnels,
LINDSEY,
WINNINGHAM,
BUTLER.

The resolution was read second time.

On motion of Mr. Puryear, the names of all the Members of the House were added to the resolution as signers thereof.

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Barron, Beck, Bedford, Bergman, Bourne, Bradley, Burns, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Shelby, Jones of Atascosa, Kayton, Kyle of Palo Pinto, Kyle of Hays, Laird, Latham, Lemens, Leonard, Long, Lotief, Magee, Mackay, Mathis, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roark, Roberts, Rogers of Ochiltree, Rogers of Hunt, Rollins, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbeman, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Wood, Young.

The resolution was unanimously adopted by a rising vote.